



Agenda Item Number: 2006-6-10C

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 27, 2006

Department: County Manager **Staff Contact:** John Dantis, Deputy County Manager for Public Safety

TITLE: Cornell Lease and Operating Agreements

ACTION: Motion to authorize the County Manager to:

1. Make changes as necessary to the lease agreement between Bernalillo County and Cornell Companies Inc.
2. Make changes as necessary to the Operating and Management Agreement between the Bernalillo County and Cornell Companies Inc.
3. Negotiate and execute as necessary an Inter-Governmental Agreement or Joint Powers Agreement for the housing of inmates between Bernalillo County and the New Mexico Corrections Department.

SUMMARY:

On October 14, 2003 Bernalillo County entered into a Lease Agreement with Cornell Companies, Inc. for the "old" Bernalillo County Detention Center Facility.

On June 30, 2004 Bernalillo County signed a Operating and Management Agreement with Cornell Companies, Inc. to allow Cornell Companies, Inc. to operate the leased facility as an Adult Detention Center. The Operating and Management Agreement must also be approved by the New Mexico Attorney General's Office, Department of Finance and Administration and Risk Management Division.

It has taken approximately two years (6/30/04 to present) for Bernalillo County to work through the issues and concerns listed by the New Mexico Attorney General's office. On June 22, 2006 Cornell Companies approved the final changes as required by the Attorney General's office. These changes will be incorporated into a "new" Operating and Management Agreement.

The two changes include the following:

- Requires the county's determination to be controlling in the interpretation of "Standards of Operation".
- Limits on operating and management agreement to five years with five one year extension.

It will take approximately one week to incorporate the required changes and obtain the required signatures from all parties. In addition, Bernalillo County is concurrently working on an Agreement with the New Mexico Corrections Department (A User Agency as defined in the Operating and Management Agreement) to house low level inmates. The New Mexico

Corrections Department has asked Bernalillo County for assistance in processing the Agreement as quickly as possible.

Staff requests Board approval to authorize the County Manager to make the changes needed to the existing Lease Agreement, Operating and Management Agreement and negotiate and execute an Agreement between Bernalillo County and the New Mexico Corrections Department due to the Board being in recess during the month of July.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

See Summary.

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

See Summary.